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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Yehuda BINDER

Appln. No. 10/773,247

Date Filed: February 9, 2004

For: NETWORKS FOR TELEPHONY AND DATA COMMUNICATION



Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
Mail Stop Amendment  
2011 South Clark Place  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Sir:

Transmitted herewith is a [X] **Second Preliminary Amendment** in the above-identified application.

[ ] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted  
 Applicant claims small entity status. See 37 C.F.R. §1.27.  
 [ ] No fee is required.  
 The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA EQUALS
TOTAL	* 83	MINUS	** 35	48
INDEP.	* 9	MINUS	*** 3	6
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

ADDITIONAL FEE TOTAL \$ 690.00

SMALL ENTITY		OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
x 9	\$ 432.00	x 18	\$
x 43	\$ 258.00	x 86	\$
+ 145	\$	+ 290	\$
ADDITIONAL FEE TOTAL		TOTAL	

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

Conditional Petition for Extension of Time  
 If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[ ] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[ ] First - \$ 55.00  
 [ ] Second - \$ 210.00  
 [ ] Third - \$ 475.00  
 [ ] Fourth - \$ 740.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

[ ] First - \$ 110.00  
 [ ] Second - \$ 420.00  
 [ ] Third - \$ 950.00  
 [ ] Fourth - \$ 1480.00

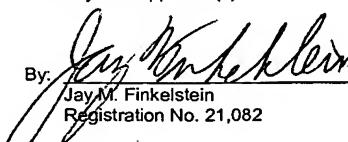
Month After Time Period Set

[ ] Less fees (\$ \_\_\_\_\_) already paid for \_\_\_\_ month(s) extension of time on \_\_\_\_\_  
 Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 690.00.

The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

ATTY.'S DOCKET: BINDER=5A

In re Application of: ) Art Unit: --  
Yehuda BINDER )  
Appln. No.: 10/773,247 ) Examiner: --  
Filed: February 9, 2004 ) Washington, D.C.  
For: NETWORKS FOR TELEPHONY ) Confirmation No. 7159  
AND DATA COMMUNICATION ) July 30, 2004

**SECOND PRELIMINARY AMENDMENT**

Honorable Commissioner for Patents  
2011 South Clark Place  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

Prior to examination, kindly amend the above-identified Application as follows.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 11 of this paper.

08/02/2004 HLE333 00000090 10773247

01 FC:2201  
02 FC:2202

258.00 -0P  
432.00 -0P